

SUMMARY OF STATE'S COMPARISON
OF CLAIM CLOSURE AND SETTLEMENT PROVISIONS
Summarized from the 2006 Edition of Workers' Compensation Law
By ALFA International
Refer to Spreadsheet

March 4, 2008

TWO METHODS THAT CLOSE CLAIMS:

Automatic Statutory Claim Closure Provisions and Settlements that Close Medical Benefits

Claim closure reopening provisions:

38 states have reopening provisions

14 states reopening must occur within same time frame as closure

For example, Georgia – 2yrs after date of last payment – Within 2 yrs
from last payment

CA, GA, IN, IA, LA, ME, NH, NJ, NC, PA, RI, UT, WI, WY

9 states may reopen with unlimited time frame – AL, AR, MI, MO, OK, SC,
SD, TN, WA

Notice of closure appears to happen in Colorado, Kentucky, and Oregon

Settlements that Close Medical Benefits:

6 states don't allow closure of medical benefits in settlements – NV, NH,
NM, OR, TX, WA

4 states that always or often close meds through settlement – IL, KS, NY,
RI

Remaining states require best interest, hearing before Judge, or some
other restriction on closure of medical benefits